

AMENDED IN SENATE JUNE 16, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**Assembly Joint Resolution**

**No. 16**

**Introduced by Assembly Member Baca**

April 10, 1997

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Assembly Joint Resolution No. 16—Relative to group homes.

LEGISLATIVE COUNSEL'S DIGEST

AJR 16, as amended, Baca. Equal housing: disabled persons.

This measure would memorialize the President and Congress of the United States to ~~amend~~ *study the impact of the Fair Housing Amendments Act to clarify the right of on local governments to make group home siting decisions, and evaluate how well the act is assisting individuals with disabilities.*

Fiscal committee: no.

1 WHEREAS, Congress enacted the Fair Housing  
2 Amendments Act of 1988, Public Law 100-430 (102 Stat.  
3 1619 (1988)); and

4 WHEREAS, The act was intended to extend the  
5 principle of equal housing opportunity to people with  
6 disabilities; and

7 ~~WHEREAS, Over the years, judges have taken an~~  
8 ~~expansive construction of the act, making it nearly~~  
9 ~~impossible for local governments to have a say over the~~

1 ~~siting of group homes that adversely affect the health and~~  
2 ~~safety of the public; and~~

3 WHEREAS, ~~A number of~~ *While the vast majority of*  
4 *group home operators are responsible individuals, some*  
5 *group home operators are operating group homes which*  
6 *generate a disproportionate number of calls to the police*  
7 *local law enforcement, straining the resources of our*  
8 ~~police local law enforcement and local governments; and~~

9 WHEREAS, ~~A number of our communities have been~~  
10 ~~forced to take a disproportionate number of group~~  
11 ~~homes; and~~

12 WHEREAS, *Variations in housing costs have resulted*  
13 *in some areas of the state having more group homes than*  
14 *other areas; and*

15 WHEREAS, It is not the desire of the California  
16 Legislature to attenuate protections afforded to people  
17 ~~with disabilities, but it is important at the same time to~~  
18 ~~address problems caused by those few group home~~  
19 ~~operators who jeopardize public health and safety; now,~~  
20 *with disabilities; now, therefore, be it*

21 *Resolved by the Assembly and Senate of the State of*  
22 *California, jointly, That the Legislature of the State of*  
23 *California respectfully memorializes the President and*  
24 *Congress of the United States to amend the Fair Housing*  
25 ~~Amendments Act, to provide relief to local governments,~~  
26 ~~by making it clear that local governments have the right~~  
27 ~~to make group home siting decisions related to the health~~  
28 ~~and safety of the public; and be it further study the impact~~  
29 ~~of the Fair Housing Amendments Act on local~~  
30 ~~governments, and evaluate how well the act is assisting~~  
31 ~~individuals with disabilities; and be it further~~

32 *Resolved, That the Chief Clerk of the Assembly*  
33 *transmit copies of this resolution to the President and*  
34 *Vice President of the United States, to the Speaker of the*  
35 *United States House of Representatives, and to each*  
36 *Senator and Representative from California in the*  
37 *Congress of the United States.*

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